

CORRES. CONTROL  
INCOMING LTR NO.

Department of Energy

47004

24275 RF 94

DUE  
DATE



13 PH '94

ROCKY FLATS FIELD OFFICE  
P.O. BOX 928  
GOLDEN, COLORADO 80402-0928  
NOV. 18 1994

ACTION

EC&C  
ROCKY FLATS PLANT  
RESPONSE CONTROL

94-DOE-11930

DIST.	LTR	ENC
BURLINGAME, A.H.		
BUSBY, W.S.		
CARNIVAL, G.J.		
CORDOVA, R.C.		
DAVIS, J.G.		
FERRERA, D.W.		
FRAY, R.E.		
GEIS, J.A.		
GLOVER, W.S.		
GOLAN, P.M.		
HANNI, B.J.		
HEALY, T.J.		
HEDAHL, T.G.		
HILBIG, J.G.		
HUTCHINS, N.M.		
JACKSON, D.T.		
KELL, R.E.		
KUESTER, A.W.		
MARX, G.E.		
MCDONALD, M.M.		
MCKENNA, F.G.		
MORGAN, R.V.		
PIZZUTO, V.M.		
POTTER, G.L.		
SANDLIN, N.B.		
SATTERWHITE, D.G.		
SCHUBERT, A.L.		
SCHWARTZ, J.K.		
SETLOCK, G.H.		
STIGER, S.G.	X	
TOBIN, P.M.		
VOORHEIS, G.M.		
WILSON, J.M.		
JENNINGS, M		X
HOLLOWELL, L		X
MC CART, D		X

Mr. Joe Schieffelin, Unit Leader  
Hazardous Waste Control Program  
Colorado Department of Public Health and Environment  
4300 Cherry Creek Drive South  
Denver, Colorado 80222-1530

Dear Mr. Schieffelin:

We received your letter of November 9, 1994, regarding the OU10 Proposed Action Memorandum, Building 443 Tank Removal. We are preparing responses to address each of your additional comments. However, there are two issues we would like to respond to separately at this time.

The draft PAM will be revised to delete the sentence "the CDPHE recommends that this removal action be completed." DOE does not believe this was a false statement. This sentence was added because in various PAM meetings, we believe your staff concurred that an action was appropriate. Specifically in a meeting on September 14, 1994 with Jeff Swanson and Cathy Alstatt, comments were provided on revision 0 of the PAM. On Section 2.7.1 of the PAM, one of the recommended changes by your staff was to include the statement that "CDPHE recommends removal." This change was then incorporated into revision 1 of the PAM which went out for public and regulator comment on October 27, 1994. We believe that it was agreed that a PAM was appropriate, and that the open issue is one of scope. Although the OU 10 PAM will require minor revisions as a result of comments, it is DOE's position that the current scope is both necessary and sufficient.

In addition, your November 9, 1994 letter states that as proposed, the action would violate several RCRA/CHWA regulations. Your letter was not specific as to which RCRA/CHWA would be violated. DOE does not believe that any RCRA/CHWA regulations have been violated. In an October 07, 1994 PAM meeting, your staff verbally indicated that although they had not reviewed the PAM, they believed it might violate RCRA/CHWA regulations. DOE asked for specific references to violations, and was assured that the CDPHE would provide these references. To date, none have been provided. We are again asking that you tell us specifically what regulations you believe might potentially be violated in implementation of this PAM. It is DOE's intent to meet all legal requirements and comply with all applicable laws and regulations.

CORRES. CONTROL X X  
ADMIN RECORD X X  
ATS/T130G

Reviewed for Addressee  
Corres. Control RFP

11-21-94 RDA  
DATE BY

Ref Ltr. #

DOE ORDER # 5400.1

ADMIN RECORD

A-OU10-000376

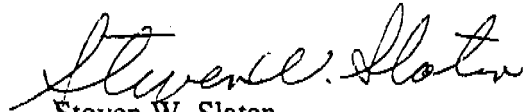
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J. Schieffelin  
94-DOE-11930

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If you wish to discuss any of these areas further, please contact me at 966-4839.

Sincerely,



Steven W. Slaten  
IAG Coordinator  
Environmental Restoration

cc:

J. Roberson, AMER, RFFO  
F. Lockhart, ERMSA, RFFO  
R. Sarter, ERMSA, RFFO  
S. Slaten, ER, RFFO  
M. Jennings, EG&G  
S. Stiger, EG&G